

*Wm. F. Ryan**Norman Cousins*

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dition" is the handing down of knowledge through the generations.

The Traditional American believes in a strong national defense, knowing our blessings are coveted by others with far less scruples. He is ready to stand for his country in its hours of need, offering his life if necessary.

The Traditional American is many more things that together have built the United States of America into the nation that it is today. The progress he advocates is the only true and lasting progress because it is built on a foundation of tried and true principles and with the mortar of reason and equality.

Subversion by Government

EXTENSION OF REMARKS

OF

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1967

Mr. RYAN. Mr. Speaker, I wish to bring to the attention of my colleagues an excellent editorial by Norman Cousins concerning the Central Intelligence Agency which appeared in the March 4 edition of the Saturday Review. The editorial discusses the recent disclosure of CIA funding of domestic organizations and traces the history of the activities of this Agency. Since some time has elapsed since the CIA's funding activities came to light, there is a danger that the initial debate will end without the establishment of effective controls over the Agency. The editorial calls for the continuation of the debate and shows the great need for a congressional oversight committee such as the one proposed in my bill, House Joint Resolution 305.

The editorial follows:

SUBVERSION BY GOVERNMENT

The CIA was conceived twenty years ago as a specific response to the global subversive activities of communism. It was decided, on the highest levels of government, that what the U.S. needed was a super-secret agency with worldwide capabilities—an agency far more secret than even the FBI.

The CIA was specifically exempted at the start from most of the checks and balances that are indigenous to American Constitutional government. The funds at its disposal might run into billions of dollars, but there was no requirement for open public or legislative debate or review. The agency would be responsible to the President and would operate through a watchdog committee in Congress but even this procedure was at variance with the Constitutional requirements.

The work of the CIA was divided into two broad areas. One area involved the operation of a top-level information-gathering service that would make its reports available to the security centers of government, such as the White House, Department of Defense, Department of State. The second area was an operational branch that would carry out top-secret activities designed to advance the national interests of the United States.

It is now essential, on the basis of available but limited information, to attempt an assessment.

The analyses and reports compiled by the information or intelligence arm of the CIA, according to many competent observers inside and outside government, have been of the highest order.

It is over the action area, however, that the difficulties and the debates have arisen. The most recent disclosures about the CIA concern secret government funds being channeled into universities, labor unions, and organizations of students, newsmen, and businessmen. CIA officials privately would probably point to such activities as being among their finest achievements. For these were no cloak-and-dagger operations involving thefts of secret documents or underground acts of daring and violence. These activities have been part of an effort to mount an intellectual and cultural counter-offensive against the threat of communist ideology. The CIA was shrewd enough to know that the most effective forces it could recruit and send into the field would come not from the far right but from the center and the non-communist left. In the case of the international meetings of students, newsmen, and labor leaders, the main purpose of the CIA was not to use Americans as agents but to give the United States top-level representation at world intellectual or economic meetings involving opportunities for leadership.

Defenders of these CIA activities say that the nation has been well served by what they describe as a highly sophisticated and knowledgeable counter-offensive against the enemies of cultural and political freedom. It is also said that the CIA, both in Washington and in the field, has maintained the highest standards in the recruiting of its personnel.

But all this is beside the main point. For what is intended as a defense of the CIA actually constitutes its severest indictment. It has now been demonstrated that even the most well-intentioned purposes and projects, when conceived and carried out within the context of undercover operations, carry penalties that far outweigh any good that might be achieved. The abuses of the CIA are not chargeable to poor judgment of its officials. The abuses are inherent in the terrible misconception behind the existence of the CIA.

The secret underwriting by the CIA of activities by the National Student Association is a case in point. Some student leaders who cooperated with the CIA were exempted from the draft. All were required to lie and to sign oaths saying they would not reveal the true state of affairs.

Half the nation's population is under the age of twenty-five. It is always risky to characterize the dominant mood of any generation, but there are many indications that many of the young people of this country today are losing confidence in the ability of their elders to operate a civilization responsibly or to demonstrate the kind of integrity that can provide a moral tone for the society. The discovery that the government itself has played a corrupting role is not likely to have a cleansing effect on the attitudes of the young people toward adult-approved institutions.

The misconception behind the existence of the CIA is a simple one. That misconception is that it is possible and proper to turn over to a group of men, the kind of authority and power that the U.S. Constitution was specifically designed to prevent. In fact, the very existence of the CIA is a monument to the failure of the recent and present generation of policymakers in government to take the basic philosophy of this nation seriously. The main point or principle that emerged from the work of the Philadelphia Constitutional Convention was that the biggest danger to human freedom was represented not just by bad men at the heads of bad governments but by good men who were put in positions where they were able to operate outside the law. The Founding Fathers didn't have to be told that extraordinary situations would arise in which extraordinary authority might be required. What concerned them, however, was that the

existence of such situations might stampe and mislead men into creating a mechanism that in itself would be subversive of Constitutional government.

While the full story of the CIA in practice, as apart from theory, is known only to a few, enough is now known to underscore the foresight of the American Founders. Consider Cuba. When President John F. Kennedy came to office, he was confronted by a fully developed plan to equip and finance an emigré invasion of Cuba. The effort failed, despite extravagant advance assurances to the contrary. The President was urged to bail out the enterprise by authorizing the use of American troops for invasion purposes. This the President refused to do—not because the might of the United States was inadequate for such an objective, but because the President had a sense of history, respect for the moral position of the United States in the world, and was opposed to the killing of thousands of Cubans.

The Cuban episode revealed one aspect of the grave danger represented by the CIA. This was that it could set forces in motion which could impel an American President, governed by considerations of national pride, to depart from his own basic policies. President Kennedy had the wisdom and the courage to avoid compounding a national error. It would be a serious mistake, however, to suppose that such qualities are automatically built into the Presidency.

President Dwight D. Eisenhower sought to ease world tensions by exploring with the Soviet Union the possibility of bringing the spiraling world arms race under control. He wanted to take full advantage of any genuine change in Soviet leadership following the death of Josef Stalin. The President's moves in this direction were blocked by the action of the CIA in penetrating the airspace of the Soviet Union with a spying plane at precisely the time a Paris summit meeting was about to begin. The President was persuaded by the head of the CIA to identify himself with the incident, lest it appear before the world that the President had been cut off from the nation's own security policies.

General Eisenhower ordered the discontinuation of the spying planes over Russian territory, but the episode undermined his long-held hope that he could make a fundamental contribution to the enlargement of world peace. No one knows whether the summit meeting, if it had been held, would have altered history, but it is not inconceivable that a dent might have been made in the arms race, possibly including the signing of a nuclear test ban and a nonproliferation treaty. In any event, it was demonstrated once again that the CIA had veto power over U.S. policy.

The role of the CIA in Vietnam is a matter of speculation. One of the sticking points in the Geneva negotiations of 1954 that ended the French occupation of Indo-China had to do with the provision in the Geneva Treaty calling for all outside forces to leave the area. Premier Mendès-France of France has said he was pressed at the negotiations to provide assurance that the departure of the French would not be the signal for the arrival of the Americans. Mendès-France replied he had no reason to believe that the United States would not respect the terms of the Geneva Treaty. Shortly after the French left, the United States moved into Laos and Vietnam. The Bao Dai government in South Vietnam was replaced by that of U.S.-backed Ngo Dinh Diem. The countrywide free elections specified in the Geneva agreement were called off by South Vietnam. Shortly thereafter, the Vietcong started its campaign of assassination, terror, and subversion against the South. The Vietcong was backed by North Vietnam but a large part of its total military supplies—at one point it reached an estimated 80 per cent—came from the United

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States, having been captured or turned over by Vietcong sympathizers.

Eventually, the Diem government was violently overthrown from within and its President killed in a coup in which the United States was a tacit partner, according to former U.S. Ambassador to Vietnam Frederick G. Nolting, Jr. The Ambassador said he believed it was not the CIA but the State Department that gave its approval to the enterprise. Be that as it may, the critical point here is that the government of the United States was involved in the subversion of another government. The overthrow and murder of Diem made a shambles of America's declaration that it came into South Vietnam at the express invitation of that government in order to keep it from being subverted.

As for Laos, this observer has no information about the role of the CIA in the ghastly mistake that led the United States in 1960 to help Phoumi Nosavan stage his military coup against the elected government of Souvanna Phouma. What is known, however, is that the coup touched off a civil war, with the United States in the incredible position of supplying arms to both sides and paying the salaries of both armies.

Eventually, the United States helped to restore the government of Souvanna Phouma, but the incredible misadventure had meanwhile taken the lives of thousands of civilians and soldiers.

While in Vientiane, Laos, in 1960, I met a pilot from the Tom Dooley Hospital who told me he had just turned down an offer of \$3,000 a month from the CIA to fly arms secretly to a corner of Burma where remnants of the Chinese Nationalist Army had settled after the revolution. Several weeks after my encounter with the pilot, I read newspaper reports about demonstrations outside the U.S. Embassy in Rangoon when it became known that the United States had violated Burmese sovereignty and had jeopardized Burma's security vis-a-vis its powerful neighbor to the north. If one aspect of the work of the CIA is to make friends for the United States, this particular aim was not furthered in Burma.

The Secretary of State has justified these activities by describing them as an inevitable concomitant of international life in the world today. The United States, he has said, should not be the only country to stand aloof from such undertakings.

This remarkable statement misses the main points at issue. One point is that one of the characteristics that distinguishes the United States from totalitarian countries is the trust that it can inspire both in its own people and in other peoples throughout the world. How do we weaken the communist conspiracy or any other conspiracy when we make other nations uncertain and suspicious about the depth and range of our secret activities inside their countries? Is it established that the only effective way of dealing with totalitarians is to imitate them?

A second point has to do with the concept of a free society held by those who are now acting in its name. When did the American people give their representatives in government the right to engage in the subversion of other governments or to decide arbitrarily and outside Constitutional processes how their money is to be spent, or to involve its own citizens in secret oaths, or to give some citizens special privileges for playing the game?

The third point is that there is no more pathetic fallacy than the notion that such enterprises can be carried out without corrupting those who are part of them. Those who believe that it is possible to mount a CIA in a free society and keep its operations sanitary are poor students of history. Moreover, the notion that it is possible to keep these operations totally secret is a species of naïveté.

Nothing would be easier than to attempt to pin the blame on a few government officials. The blame must reach into the society as a whole. Nothing as large as this could have come this far without the involvement of large elements of the American community.

A government now exists within a government. That interior government has not been elected. It cannot easily be replaced or recalled. But neither is it beyond the reach of the American people. It will be said that the nation's security requires that further debate over the CIA be closed. But it is precisely in the name of national security that the debate must be pursued—that is, if the national security bears any relationship to what the nation is all about.

Representative Machen Opposes Burning at Kenilworth Dump

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. MACHEN. Mr. Speaker, yesterday I had the privilege of testifying before a joint hearing by the Senate Subcommittees on Business and Commerce and Public Health, Education, Welfare, and Safety on the problem of stopping the open air burning health menace at the Kenilworth dump. This is a vital problem to the governments and the residents of the District and of Prince Georges County and with unanimous consent, I include my testimony in the Appendix at this point:

STATEMENT OF REPRESENTATIVE HERVEY G. MACHEN, DEMOCRAT, OF MARYLAND, ON THE KENILWORTH DUMP, BEFORE TWO SENATE SUBCOMMITTEES, MARCH 14, 1967

I wish to express my gratitude to Senators Morse and Tydings and their distinguished colleagues for holding a full hearing into a matter of such significance to residents of the District and of Prince Georges County.

It only takes a situation like the open air burning at the Kenilworth Dump to dramatize the need for regional cooperation and action toward two problems that do not recognize state, county or city lines: Air pollution and waste disposal. And we are faced with both of these problems in dealing with the Kenilworth Dump.

It is unfortunate that these problems have reached the critical point. It is unfortunate that two important subcommittees of the Senate must devote their valuable time to hearings and consideration of these primarily local problems. And the most unfortunate aspect of the whole controversy, to me, is that we are trying to solve them in something of a vacuum because of the governmental relationships that are peculiar to the metropolitan area.

I believe that you gentlemen are in the position of mediating the differences of opinion in this controversy in order to arrive at a solution that is fair and equitable to the governments involved and to the residents of Prince Georges County and the District. We all know what the problems are and that they demand swift and reasonable remedy in order to relieve our citizens of the environmental menace emanating from the dump.

But how will it be done?

I would like to address my remarks at the

missioners recommending a sanitary landfill on District property at Muirkirk as an alternative to Kenilworth's open air burning until the new incinerator is completed three to five years from now.

My initial reaction to the proposal was that if it became a reality, I wanted strict assurances that open air burning would not be transferred from the Kenilworth Dump to the Muirkirk sanitary landfill, and that upon opening of the new incinerator the sanitary landfill operation at Muirkirk would cease. On Feb. 6, 1967, I wrote to Walter N. Tobriner, president of the Board of District Commissioners, asking about this.

Commissioner Tobriner replied on Feb. 15, 1967, and assured me that in his words, "in the day-to-day operation of the proposed sanitary landfill itself there will be no burning." As to the question of closing the sanitary landfill after three years, he said that "I think there is no question of this because, if for no other reason, the capacity of the Muirkirk site will then have been exhausted." Mr. Chairman, at this point I will offer Commissioner Tobriner's letter for the record as Exhibit 1.

Mr. Chairman, recently I received a number of letters and a petition from residents of the Muirkirk-Beltsville-Vansville Heights area opposing the proposed sanitary landfill on the grounds of possible danger from trucks, a possible public nuisance, and the contention that property values would decline. In another letter to Commissioner Tobriner, on Feb. 24, 1967, I asked him to explore the possibility of using an abandoned gravel pit in the county as an alternative site for the proposed sanitary landfill. His reply is included at this point in the record as Exhibit 2.

Commissioner Tobriner, in his reply of March 10, 1967, limited his discussion of the possibility of using a gravel pit to the problems of acquisition. I realize how time-consuming acquisition would be and had in mind primarily a lease arrangement which would require only negotiations between the District Commissioners and the landowner. My purpose in asking the District Commissioners to consider using a gravel pit is that we do have a large number of them in Prince Georges County, they are already excavated and most of them are not in or near residential areas, thus eliminating the only objections I have heard to the sanitary landfill proposal.

However, I hope the door isn't closed on this possibility. I am hoping that the Commissioners will pursue it further. I feel that it would be a waste of good federal property in Muirkirk when there is other private property available that already has been defaced, and would probably be improved by a sanitary landfill.

Mr. Chairman, there are several legal points involved in this issue which I wanted cleared up before I reached a decision about the Muirkirk proposal. Briefly, they involve the rights of citizens of Prince Georges County to seek relief in the courts if the sanitary landfill became a public nuisance. Some time ago I was asked by an official of the Town of Cheverly to get a legal opinion on the possibility of the town seeking an injunction against the open air burning at Kenilworth Dump. At my request the American Law Division of the Library of Congress considered the question and forwarded an affirmative opinion, with the usual apprehensions. Briefly, the opinion stated that the question on seeking temporary injunctive relief from the courts turns on the Town of Cheverly establishing in effect, that the air pollution menace is the greater of two evils: the evil of the health hazard from accumulating refuse and the evil of air pollution from the burning of refuse.

At this point I would like to offer for the record the Library of Congress legal opinion